

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADOBE SYSTEMS INCORPORATED,

Plaintiff,

v.

HOOPS ENTERPRISE LLC; and ANTHONY  
KORNRUMPF,

Defendants.

No. C 10-2769 CW

ORDER GRANTING  
PLAINTIFF'S MOTION  
TO FILE UNDER SEAL  
(Docket No. 221)

AND ALL RELATED CLAIMS

Plaintiff Adobe Systems Inc. seeks to file under seal portions of its reply brief in further support of its First Motion in Limine, which this Court converted into a Motion for Partial Summary Judgment. Plaintiff has already filed a redacted version of its reply brief in the public record. Docket No. 220.

Plaintiff's filings are connected to a dispositive motion. To establish that the documents are sealable, it "must overcome a strong presumption of access by showing that 'compelling reasons supported by specific factual findings . . . outweigh the general history of access and the public policies favoring disclosure.'" Pintos v. Pac. Creditors Ass'n, 605 F.3d 665, 679 (9th Cir. 2010) (citation omitted). This cannot be established simply by showing that the documents are subject to a protective order or by stating in general terms that the material is considered to be confidential, but rather must be supported by a sworn declaration

1 demonstrating with particularity the need to file each document  
2 under seal. Civil Local Rule 79-5(a).

3 The Court has previously granted leave to file under seal a  
4 settlement agreement, which the parties had executed to settle  
5 prior litigation between them and had agreed to keep confidential  
6 as part of the terms of settlement, and other documents that  
7 excerpted or referenced the terms of that settlement agreement.  
8 See, e.g., Docket Nos. 150, 193, 201, 210. Plaintiff represents  
9 that the portions of the reply brief that it seeks to seal contain  
10 excerpts and references to the terms of that settlement agreement.  
11 Wang Decl. ¶ 3. Having reviewed the unredacted reply brief, the  
12 Court finds that Plaintiff has established that these portions are  
13 sealable.

14 For the reasons set forth above, the Court GRANTS Plaintiff's  
15 motion to file under seal (Docket No. 221). Within four days of  
16 the date of this Order, Plaintiff shall file under seal its  
17 unredacted reply brief.

18 IT IS SO ORDERED.

19  
20 Dated: 6/11/2012

21   
22 CLAUDIA WILKEN  
23 United States District Judge  
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